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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

In re Application of
Thompson, et al.
Application No. 09/725,019
Filed: November 29, 2000
Atty. Dkt. No.: 10799/12
For: DNA ENCODING A PLANT
DEOXYHYPUSINE SYNTHASE, A
PLANT EUKARYOTIC INITIATION
FACTOR 5A, TRANSGENIC PLANTS
AND A METHOD FOR CONTROLLING
SENESCENCE PROGRAMMED AND CELL
DEATH IN PLANTS

:
: DECISION REFUSING STATUS
: UNDER 37 CFR 1.47(a)
:
:

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JUL 26 2004

OFFICE OF PETITIONS

This decision is in response to the petition under 37 CFR
1.47(a), filed June 22, 2004.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of
this decision to reply, correcting the below-noted deficiencies.
Any reply should be entitled "Request for Reconsideration of
Petition Under 37 CFR 1.47(a)," and should only address the
deficiencies noted below. Failure to respond will result in
abandonment of the application. Any extensions of time will be
governed by 37 CFR 1.136(a).

The first executed oath or declaration filed establishes the
inventive entity of an application. The provisions of 37 CFR
1.47 are only applicable to original oaths or declarations. The
above-identified application was filed November 29, 2000 with an
executed declaration filed pursuant to 37 CFR 1.63(d). There is
no indication in the record that the declaration has been
objected to by the examiner. Thus, it would appear that the
petition under 37 CFR 1.47 is inappropriate.

Any renewed petition must clarify the purpose for which
petitioner is attempting to submit a new declaration. If
petitioner has no intention of submitting a renewed petition,

Alesia M. Brown
Petitions Attorney
Office of Petitions